

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-7562

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JAMES REGINALD SMITH, a/k/a Scank,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (CR-89-75, CA-96-732-3)

Submitted: March 9, 2000

Decided: March 15, 2000

Before WILKINS, TRAXLER, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

James Reginald Smith, Appellant Pro Se. Gurney Wingate Grant, II, OFFICE OF THE UNITED STATES ATTORNEY, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

James Reginald Smith appeals the district court's order denying his motion for leave to appeal out of time pursuant to Fed. R. App. P. 4(a). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See United States v. Smith, Nos. CR-89-75; CA-96-732-3 (E.D. Va. Oct. 7, 1999). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED